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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

NOVENDER FLEMING, )  
 )  
Plaintiff(s), )  
 )  
v. )  
 )  
NADIA CLARK, et al., )  
 )  
Defendant(s). )  
 )  
\_\_\_\_\_  
VICTOR JONES, )  
 )  
Plaintiff(s), )  
 )  
v. )  
 )  
NADIA CLARK, et al., )  
 )  
Defendant(s). )  
 )  
\_\_\_\_\_ )

No. C09-1613 BZ  
  
**SPECIAL VERDICT**  
  
and Consolidated Case  
  
No. C09-4757 BZ

1 We the jury find the following special verdict on the  
2 questions submitted to us:

3 **Victor Jones' Federal Claim**

4 1. Did any of the following defendants violate Victor  
5 Jones' constitutional rights?

6 Officer Nadia Clark Yes\_\_\_\_\_ No\_\_\_\_\_

7 Officer Robert McMillan Yes\_\_\_\_\_ No\_\_\_\_\_

8 Officer Trent Thompson Yes\_\_\_\_\_ No\_\_\_\_\_

9 Officer Patrick Gerrans Yes\_\_\_\_\_ No\_\_\_\_\_

10 Officer Nicholas Miller Yes\_\_\_\_\_ No\_\_\_\_\_

11 Sergeant Bernard Ortiz Yes\_\_\_\_\_ No\_\_\_\_\_

12 If you answered yes to any of the above, please proceed to  
13 Question 2. If you answered no to all of the above, please  
14 skip Questions 2 to 5 and proceed to Question 6.

15 2. Did Sergeant Bernard Ortiz direct his subordinate  
16 Officers in the acts that violated Victor Jones'  
17 constitutional rights?

18 Yes\_\_\_\_\_ No\_\_\_\_\_

19 3. If you answered yes in response to any defendants in  
20 Questions 1 or 2, and you find that Victor Jones suffered  
21 damages because of defendants' conduct, please specify the  
22 amount of damages, if any, you award Victor Jones.

23 \$\_\_\_\_\_

24 4. If you answered yes in response to any defendants in  
25 Questions 1 and 2, do you find that any of those defendants  
26 engaged in conduct that was malicious, oppressive, or in  
27 reckless disregard of Victor Jones' constitutional rights?

28 Officer Nadia Clark Yes\_\_\_\_\_ No\_\_\_\_\_

1	Officer Robert McMillan	Yes_____ No_____
2	Officer Trent Thompson	Yes_____ No_____
3	Officer Patrick Gerrans	Yes_____ No_____
4	Officer Nicholas Miller	Yes_____ No_____
5	Sergeant Bernard Ortiz	Yes_____ No_____

6 If you answered yes to any of the above, please proceed to  
7 Question 5. If you answered no to all of the above, please  
8 skip Question 5 and proceed to Question 6.

9 5. What amount of punitive damages, if any, do you  
10 award Victor Jones from each defendant whom you found engaged  
11 in conduct deserving a punitive damage award?

12	Officer Nadia Clark	\$_____
13	Officer Robert McMillan	\$_____
14	Officer Trent Thompson	\$_____
15	Officer Patrick Gerrans	\$_____
16	Officer Nicholas Miller	\$_____
17	Sergeant Bernard Ortiz	\$_____

18 **Novender Fleming's Federal Claim**

19 6. Did any of the following defendants violate Novender  
20 Fleming's constitutional rights?

21	Officer Nadia Clark	Yes_____ No_____
22	Officer Robert McMillan	Yes_____ No_____
23	Officer Trent Thompson	Yes_____ No_____
24	Officer Patrick Gerrans	Yes_____ No_____
25	Officer Nicholas Miller	Yes_____ No_____
26	Sergeant Bernard Ortiz	Yes_____ No_____

27 If you answered yes to any of the above, please proceed to  
28 Question 7. If you answered no to all of the above, please

1 skip Questions 7 to 10 and sign and date this verdict.

2 7. Did Sergeant Bernard Ortiz direct his subordinate  
3 Officers in the acts that violated Novender Fleming's  
4 constitutional rights?

5 Yes\_\_\_\_\_ No\_\_\_\_\_

6 8. If you answered yes in response to any defendants in  
7 Questions 6 or 7, and you find that Novender Fleming suffered  
8 damages because of defendants' conduct, please specify the  
9 amount of damages, if any, you award to Novender Fleming.

10 \$\_\_\_\_\_

11 9. If you answered yes in response to any defendants in  
12 Questions 6 and 7, do you find that any of those defendants  
13 engaged in conduct that was malicious, oppressive, or in  
14 reckless disregard of Novender Fleming's constitutional  
15 rights?

16 Officer Nadia Clark Yes\_\_\_\_\_ No\_\_\_\_\_

17 Officer Robert McMillan Yes\_\_\_\_\_ No\_\_\_\_\_

18 Officer Trent Thompson Yes\_\_\_\_\_ No\_\_\_\_\_

19 Officer Patrick Gerrans Yes\_\_\_\_\_ No\_\_\_\_\_

20 Officer Nicholas Miller Yes\_\_\_\_\_ No\_\_\_\_\_

21 Sergeant Bernard Ortiz Yes\_\_\_\_\_ No\_\_\_\_\_

22 If you answered yes to any of the above, please proceed to  
23 Question 10. If you answered no to all of the above, please  
24 skip Question 10 and sign and date this verdict.

25 10. What amount of punitive damages, if any, do you  
26 award Novender Fleming from each defendant whom you found  
27 engaged in conduct deserving a punitive damage award?

28 Officer Nadia Clark \$\_\_\_\_\_

1 Officer Robert McMillan \$\_\_\_\_\_

2 Officer Trent Thompson \$\_\_\_\_\_

3 Officer Patrick Gerrans \$\_\_\_\_\_

4 Officer Nicholas Miller \$\_\_\_\_\_

5 Sergeant Bernard Ortiz \$\_\_\_\_\_

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7	Dated:
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8	Presiding Juror
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